

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-4284**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

BOBBY LEON JOHNSON,

Defendant - Appellant.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Charlotte. Lacy H. Thornburg,  
District Judge. (CR-01-210)

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Submitted: September 27, 2005

Decided: September 29, 2005

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Before LUTTIG, MOTZ, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Randolph M. Lee, Charlotte, North Carolina, for Appellant. Robert  
James Conrad, Jr., OFFICE OF THE UNITED STATES ATTORNEY, Jennifer  
Marie Hoefling, Assistant United States Attorney, Charlotte, North  
Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Bobby Leon Johnson appeals the district court's judgment sentencing him to 300 months in prison following his guilty plea to nine counts of an eleven-count indictment for bank robbery in violation of 18 U.S.C. §§ 371, 922(g)(1), 924(c), 1951, 1956(h), and 2113 (2000). In his appeal, filed pursuant to Anders v. California, 386 U.S. 738 (1967), counsel for Johnson asserts there are no non-frivolous issues for appeal. Although concluding that such allegations lack merit, counsel asserts that Johnson's plea was not knowing and voluntary. Johnson has been informed of his right to file a pro se supplemental brief but has not done so. Because our review of the record discloses no reversible error, we affirm Johnson's conviction and sentence.

Johnson was advised of the nature of the charges against him, the potential punishment, and the rights he was waiving by entering a plea of guilty, and he knowingly and intelligently waived those rights and pled guilty. Moreover, Johnson's appellate waiver forecloses any argument that his sentence, issued under the mandatory guidelines system, was unconstitutional. See United States v. Blick, 408 F.3d 162 (4th Cir. 2005).

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We therefore affirm Johnson's convictions and sentence. This court requires that counsel inform his client, in writing, of

his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decision process.

AFFIRMED